

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

KEITH JACKSON,

Plaintiff,

v.

Case No. 17-cv-194-pp

DR. PATRICK MURPHY, *et al.*,

Defendants.

**ORDER DENYING PLAINTIFF'S MOTION FOR EMERGENCY INJUNCTION
TO STOP E-FILING PROCEDURE (DKT. NO. 12)**

The plaintiff has filed a motion for an emergency injunction to prevent the Green Bay Clerk of Court's Office from requiring that he participate in the court's Prisoner E-Filing Program. Dkt. No. 12. The plaintiff is incarcerated at the Oshkosh Correctional Institution, and the court's Prisoner E-Filing Program, under which inmates give case filings to institution staff who scan and e-mail the documents to the court, went into effect there on May 15, 2017.

In support of his motion, the plaintiff asserts that the institution library has unreliable hours due to staffing issues, and he's concerned that he may not be able to timely file his court documents. The plaintiff also states that prison staff shouldn't be handling legal mail because the mail may be against staff and it could help staff plot against prisoners related to their legal actions. Lastly, the plaintiff requests that, since his case is before Judge Pepper who presides in Milwaukee, Wisconsin, all matters related to this case be handled from the Milwaukee Division of the Eastern District of Wisconsin, not the

Green Bay Division. He says that if the court is going to require him to participate in the Prisoner E-Filing Program, he wants a court order “for the records.” Id. at 2.

The judges of the Eastern District (both the Milwaukee and Green Bay Divisions) decided some time ago that the Prisoner E-Filing Program is mandatory; all inmates at participating institutions must participate. If a library staffing issue results in the plaintiff filing a document after a deadline, he may explain to the court why the document is untimely. With regard to the plaintiff’s concern that staff may read his case filings and plot against him, the court notes that institution staff also may have the opportunity to read inmates’ paper pleadings (not to mention internal inmate complaints that prisoners file); in other words, the Prisoner E-Filing Program does not give institution staff any more access to prisoners’ court filings than they already have. In any event, pleadings filed in court cases are public.

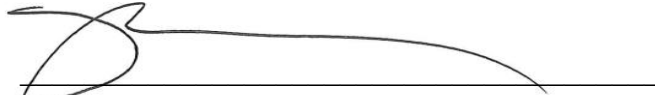
Both the Green Bay Division and the Milwaukee Division are part of the Eastern District of Wisconsin. There is one clerk’s office, and one clerk of court (Stephen Dries); there are two physical locations for that one clerk’s office. The staff located in the office in Green Bay administer portions of the Prisoner E-Filing Program for the Eastern District of Wisconsin. While the plaintiff may receive some court documents from the physical office in Green Bay, Judge Pepper is the presiding judge in the plaintiff’s case.

The court **DENIES** the plaintiff’s motion for emergency injunction to stop e-filing procedure. Dkt. No. 12. The court **ORDERS** that the plaintiff must

participate in the Prisoner E-Filing Program as long as he is confined at one of the institutions that uses the Prisoner E-Filing Program.

Dated in Milwaukee, Wisconsin this 30th day of June, 2017.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
United States District Judge